

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Larson et al.	Confirmation No.:	7146
Serial No.:	10/645,136	Art Unit:	3733
Filed:	August 20, 2003	Examiner:	Philogene, Pedro
For:	GUIDED RETRACTOR AND METHODS OF USE	Attorney Docket No.:	8932-973-999

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Your Petitioner, **Brent P. Ray**, represents that he is one of the attorneys of record for **Synthes Spine Company, LP**, the assignee of the entire right, title and interest in and to the above identified application by virtue of an assignment which was recorded on **September 9, 2004** at reel **015774** frame **0875**.

Petitioner hereby disclaims the terminal part of any patent granted on the above identified application which would extend beyond the expiration date of U.S. Patent No. 7,014,608 which issued on March 21, 2006 and hereby agrees that any patent so granted on the above identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 7,014,608.

Petitioner further agrees that this agreement is to run with any patent granted on the above identified application and is to be binding upon the grantee, its successors, and assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of U.S. Patent No. 7,014,608 in the event that said patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title stated above.

Petitioner hereby confirms that he has reviewed the assignment and, to the best of his knowledge and belief, title is in the assignee seeking to take action in this matter and that he is empowered to act on behalf of **Synthes Spine Company, LP**.

Petitioner hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code

and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed this 1st day of February, 2007.

By: s/ Brent P. Ray 54,390
Name: Brent P. Ray (Reg. No.)
Position: Attorney for Assignee Synthes Spine Company, LP

JONES DAY
222 East 41st Street
New York, NY 10017
(212) 326-3939

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METHODS OF USE

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Sir:

The fee for processing the attached Terminal Disclaimer is believed to be \$110.00. Please charge the required fee to Jones Day Deposit Account No. 50-3013. A copy of this sheet is attached for accounting purposes.

Respectfully submitted,

Date: February 1, 2007

s/ Brent P. Ray 54,390
Brent P. Ray (Reg. No.)
For: Brian M. Rothery (Reg. No. 35,340)
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